

Application No. 09/702,505
Amendment "E" dated September 16, 2004
Reply to Office Action mailed July 23, 2004

REMARKS

Applicants express appreciation to the Examiner for the courtesy of the recent interview granted to Applicants' attorney. The claim amendments made by this paper are consistent with the proposed claim amendments presented during the course of the Interview held September 14, 2004.

The latest Office Action, mailed July 23, 2004, considered claims 1-7 and 9-28. Claims 1-7, 9 and 28 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 10-16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 10-14 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by the article "The Microsoft Interactive TV System: An Experience Report" by Michael Jones. Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over "The Microsoft Interactive TV System" and in view of Perlman (U.S. Patent No. 5,745,909)¹.

By this paper, claims 10-20 have been cancelled² and claim 1 has been amended such that claims 1-7, 9 and 21-28 remain pending.

The amendments to claim 1 overcome the § 112 rejections, by replacing the term 'line' with the term 'span,' as discussed during the interview. Accordingly, following this paper, all of the claims 19-22, 24 and 26-29 that remain pending in this case comprise allowable subject matter, as reflected in the interview summary.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² The amendments made herein, including the cancellation of claims 10-20 should not, however, be construed as acquiescing to the purported teachings of the prior art of record. Instead, Applicants are making these amendments and cancellations to expedite prosecution of the allowable subject matter. Accordingly, Applicants reserve the right to pursue the cancelled subject matter and to challenge the purported teachings and status of the prior art at any appropriate time, should it arise. In fact, as discussed during the interview, it is the Applicants intent to pursue the cancelled claims in a continuation.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 16 day of September 2004.

Respectfully submitted,



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